THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

–

WRIT PETITION No.3098 of 1999

DATE:16-08-2005

Between:

Sri Venkateswara Talkies, Pithapuram,

Rep. by its Managing Partner, D. V. Ramanamurthy

S/o. Ramarao, Hindu, aged 55 years,

R/o. Pithapuram.

..... PETITIONER

AND

The Government of Andhra Pradesh,

Rep. by its Secretary, Home Department,

Secretariat Buildings, Hyderabad

and two others

.....RESPONDENTS

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

–

W.P. No.3098 OF 1999

–

ORDER:

The petitioner is stated to have preferred regular appeal, dated 15-09-1997, before the 1st respondent herein under the provisions of the A.P. Cinemas (Regulation) Act, 1955.

The petitioner filed this writ petition invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India on the ground that the appellate authority failed to pass appropriate orders in the stay petition filed by the petitioner along with the appeal preferred against the order, dated 11-09-1997. This Court vide its order, dated 17-02-1999, granted interim stay of all further proceedings and operation of the order of the Joint Collector, Kakinada, dated 11-09-1997.

Neither the learned counsel for the petitioner nor the learned Government Pleader for Home is in a position to inform the Court as to whether the appeal preferred by the petitioner is still awaiting adjudication.

In such view of the matter, it would be appropriate to dispose of this writ petition directing the respondents to give effect to the interim order, dated 17-02-1999, passed by this Court, under which the petitioner derived the benefit for a period of more than six years, until the appeal is finally disposed of by the appellate authority.

It is needless to observe that if the appeal preferred by the petitioner has already been disposed of, the petitioner would not be entitled for the benefit of the interim order, dated 17-02-1999, passed by this Court.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

_____

B. SUDERSHAN REDDY, J

Date:16-08-2005.

PV